



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

OFFICE OF THE UNDER SECRETARY

15 JUN 2004

MEMORANDUM FOR (SEE DISTRIBUTION LIST)

FROM: SAF/IAPX
1080 Air Force Pentagon
Washington, DC 20330-1080

SUBJECT: Contractor Responsibilities For A Foreign Military Sales (FMS) Program
(IAPX 04-008)

This memorandum is in response to inquiries regarding whether a contractor can perform the duties of a Security Assistance Program Manager (SAPM).

In accordance with the AFMAN 16-101, paragraph 1.6.3, a Security Assistance Program Manager (SAPM) is assigned to cases that are weapon system specific or require major and complex integration/coordinated efforts of multiple commands or centers. This position normally resides in the organization having the most case implementation responsibility. The SAPM is the program execution interface with the customer.

The position of the Security Assistance Program Manager (SAPM) will always be a USG representative, military or civilian because the duty of a SAPM is an inherently governmental function. In accordance with OMB Circular A-76, dated 28 May 2003, an inherently governmental function is any activity that involves exercising substantial discretion in applying Government authority and/or making decisions/commitments for the Government and that the functions be performed by Government personnel. In the security assistance arena, functions that are inherently governmental are program decision authority, contracting office authority and financial authority requiring funds certification. The USAF retains these functions in-house. The OMB Circular is located at <http://www.whitehouse.gov/omb/circulars/index.html>.

Because Security Assistance Program Manager (SAPM) duties are inherently governmental, contractors shall not be assigned as a SAPM. Contractors are hired to supplement our manpower workload to allow us to respond more quickly to customer requirements and program execution. Their duties involve support where the contractor **does not** have the authority to decide on the course of action, but is tasked to develop options or implement a course of actions, with agency oversight. A contractor can be designated as a Deputy SAPM with a narrow scope of responsibilities that are not considered inherently governmental functions, for example, assist in the development of statements of work; provide technical evaluations, and facilitate meetings.

A US Government employee who is authorized by the SAPM will make decisions in his/her absence. All decision authority will continue to reside with the USG representative.

If you have any questions, please contact Sheilah Boyd, SAF/IAPX, (703) 588-8366,
email: sheilah.boyd@pentagon.af.mil.

A handwritten signature in blue ink, appearing to read "Terry Bates". The signature is fluid and cursive, with the first name "Terry" and last name "Bates" clearly distinguishable.

TERRY BATES
Chief, Security Assistance Policy Division
Dep Under Secretary, Int'l Affairs

Attachment
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